

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 09 MAR 2006

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Applicant's or agent's file reference P5077PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB2004/003230	International filing date (day/month/year) 26.07.2004	Priority date (day/month/year) 05.08.2003
International Patent Classification (IPC) or both national classification and IPC B63J2/12, B63B25/04, B63B25/08, C08C3/00		
Applicant LAM, David Choon Sen		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
  - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  31.05.2005	Date of completion of this report  10.03.2006
Name and mailing address of the international preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  De Sena Hemandorena  Telephone No. +31 70 340-2704  

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**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-11 as originally filed

**Claims, Numbers**

1-16 as originally filed

**Drawings, Sheets**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**see separate sheet**

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-10
	No: Claims	11-16
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	11-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**2    Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1    Reference is made to the following documents:**

- D1: DE 11 09 556 B (CASINGHINI ECONOMIZZATORI GREE) 22 June 1961 (1961-06-22)
- D2: GB-A-1 484 252 (RUBBER RES INST OF MALAYSIA) 1 September 1977 (1977-09-01)
- D3: PATENT ABSTRACTS OF JAPAN vol. 0124, no. 95 (M-780), 23 December 1988 (1988-12-23) & JP 63 215493 A (ISHIKAWAJIMA HARIMA HEAVY IND CO LTD), 7 September 1988 (1988-09-07)
- D4: US 1 360 486 (WORTHINGTON) 30 November 1920 (1920-11-30)

**2    The document US 1360486 (D4) was not cited in the International Search Report. A copy of the document is appended hereto.**

**3    The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 11 and 15 is not new in the sense of Article 33(2) PCT.**

**3a   The document D2 discloses (the references in parentheses applying to this document):**

A method of supplying semi-processed rubber to a user in a usable form, the method comprising tapping latex from a rubber tree, forming a cake, transporting the cake to a local processor for semi-processing and subsequently transporting the semi-processing rubber cake to a user (Page 1, lines 30-47).

**3b   A method of supplying semi-processed rubber to a user, the method comprising storing the semi-processed rubber at a location which is maintained at a temperature to prevent or at least inhibit the hardening of, or formation of crystals in the semi-processed rubber (Page 1, lines 11-13 and 30-41).**

- 4 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 12 does not involve an inventive step in the sense of Article 33(3) PCT.

The document D4 is regarded as being the closest prior art to the subject-matter of claim 12, and discloses (the references in parentheses applying to this document):

A method of transporting solid goods whose state is prone to change during transportation (Page 1, lines 14-17), the method comprising maintaining the goods at a temperature of from 25 to 35°C during transportation.

The subject-matter of claim 12 therefore differs from this known method in that the means of maintaining the temperature is supplying heated air to the goods using heat reclaimed from the prime mover of the means of transportation.

The problem to be solved by the present invention may therefore be regarded as achieving an easy and economic way of maintaining the temperature during the transportation phase.

The solution proposed in claim 12 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

The method according to claim 12 differs from that known from document D3 in that air instead of steam is used. The use of steam instead of air for heating is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

The feature of dependent claim 12 of using heat reclaimed from the prime mover of the means of transportation is known from D3. It would therefore be obvious to the person skilled in the art, to apply these features with corresponding effect to a method according to document D3 thereby arriving at a method according to claim 12.

- 5 Dependent claims 13,14 and 16 do not contain any features which, in combination

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with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step, see documents D1-D4 and corresponding passages cited in the search report and in this examination report.

- 6 The features of Independent claim 1 and claims 2-10 dependent thereof is neither known from, nor rendered obvious by, the available prior art.